

OGC Litigation Deadlines - February 24, 2017

Due Date	Case Name	Court	Office	Description of Item Due	Action or Inaction Challenged
2/27/2017	Doe Run Resources Corporation v.	E.D. Mo.	WLO	EPA answer	EPA establishment in 2010 of nutrient TMDL for West Fork Black River, MO
2/27/2017	Wisconsin Public Service Corporation v. EPA	D.C. Cir.	ARLO	Status Report	Petition for Review of TR Revisions Rule (Feb.): final rule entitled "Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone" 77 Fed. Reg. 10324 (Feb. 21, 2012)
2/27/2017	Utility Air Regulatory Group v. EPA	D.C. Cir.	ARLO	Status Report	petition for review of EPA's final rule entitled "Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone." at 77 Fed. Reg. 34,830 (June 12, 2012)
2/27/2017	National Family Farm Coalition, et al. v. EPA	9th Cir.	PTSLO	EPA Motion for Extension of Time to File Certified Index due	Registration of pesticide "XtendiMax with VaporGrip Technology" (dicamba active ingredient) for use on GE cotton and soybean in 34 states
2/27/2017	Marquette County Road Comm'n v.	W.D. Mich.	WLO	Marquette County Road Comm'n v. EPA	EPA objection to state-issued permit
2/28/2017	Blue Water Baltimore, et al. v. EPA	D.D.C.	WLO	Reply Brief in Support of EPA's Motion to Dismiss -- Blue Water Baltimore	Challenge to EPA's approval of Maryland's 2012 303(d) list.
2/28/2017	Center for Regulatory Reasonableness v. EPA	D.D.C.	WLO	Defendant EPA's opposition to Plaintiff CRR's motion to supplement the administrative record	On July 12, 2016, CRR filed a lawsuit in D.C. District Court challenging EPA's (1) Jan 2015 approval of MN's combined numeric nutrient water quality criteria for rivers/streams, and (2) June 2016 denial of CRR's request to reconsider and withdraw that approval, specifically re two response variables, BOD5 and diel DO flux.
3/1/2017	Northwest Environmental Advocates v. EPA	W.D. Wash.	WLO	Final administrative record	Washington WQS: Lack of consultation on CWA criteria approvals pursuant to ESA 7(a)(2); Lack of re-initiation on criteria for which EPA previously concluded consultation pursuant to ESA 7(a)(2); Lack of CWA action on submissions that EPA previously determined were not WQS; Allegedly arbitrary approval of narrative natural conditions criteria.
3/1/2017	Florida Clean Water Network v. EPA	N.D. Fla.	WLO	EPA's answer to the complaint is due on/about 3/1 (depends on date of service).	alleges that EPA has withheld or unnecessarily delayed responding to a 2009 petition asking EPA to promulgate numeric water quality criteria for toxic pollutants to protect human health (HHC)
3/2/2017	National Alliance of Forest Owners, et al. v. EPA	D.C. Cir.	ARLO	Status Report	Challenge to EPA's treatment of Biogenic Emissions in Tailoring Rule, 75 Fed. Reg. 31,514 (June 3, 2010).
3/2/2017	Mexichem Fluor, Inc. v. EPA	D.C. Cir.	ARLO	Entry of Appearance Form and Procedural Motions	challenge by a foreign chemical supplier to the 2016 Section 612 Significant New Alternatives Policy ("SNAP") Rule which, among other things, changed the listing of certain high global warming potential substitutes for ozone-depleting substances from acceptable to unacceptable
3/2/2017	Wilkie et al. v.	D. Minn.	CRFLO	US reply brief due	Plaintiffs have brought this suit alleging that EPA is liable under RCRA, the Minnesota Environmental Response and Liability Act (MERLA), and the FTCA.
3/3/2017	Upper Missouri Waterkeeper v. EPA	D. Mont.	WLO	EPA summary judgment brief and response to plaintiff's SJ brief	APA challenge to EPA's 2015 approval of Montana's numeric nutrient criteria and related state-wide variances
3/6/2017	Ron Foster, et al. v.	S.D. W. Va.	WLO	Response to dispositive motions	EPA issued ACO against Ps for discharging dredged and fill materials into tributaries of Neal Run without a 404 permit. Ps allege that the waters are not jurisdictional and that EPA denied their constitutional right to an administrative appeal.
3/6/2017	Development Association's Clean Air Project v. EPA	D.C. Cir.	ARLO	EPA's Certified Index to the Record and Any Dispositive Motions	petition for review challenging revisions to the refrigerant management regulations under CAA section 608
3/6/2017	State of North Dakota v. EPA	D.C. Cir.	ARLO	Oral Argument Format Proposals Filing Date	EGU GHG 111(b) Challenge - Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units." At 80 Fed. Reg. 64510 (October 23, 2015)
3/6/2017	Center for Biological Diversity, et al. v. EPA	D.C. Cir.	PTSLO	Filing	Registration of new active ingredient cyantraniliprole

3/6/2017	Energy & Environment Legal Institute v. EPA	D.D.C.	GLO	Status Report	Failure to respond to FOIA request within the 20 working day time limit.
3/6/2017	Utility Air Regulatory Group v. EPA	4th Cir.	ARLO	Status Report	petition for review of EPA's limited approval and limited disapproval of West Virginia's Regional Haze SIP, 77 Fed. Reg. 16937 (March 23, 2012)
3/6/2017	National Family Farm Coalition, et al. v. EPA	9th Cir.	PTSLO	Certified Index due per FRAP 17(a) 25(c)(4) and 26(c)	Registration of pesticide "XtendiMax with VaporGrip Technology" (dicamba active ingredient) for use on GE cotton and soybean in 34 states
3/6/2017	Center for Biological Diversity, et al. v. EPA	N.D. Cal.	PTSLO	Status Report Due in District Court case	Failure to consult under ESA/failure to implement 1989/1993 biops/failure to reinstate consultations re: 1989/1993 ESA consultations
3/6/2017	Marquette County Road Comm'n v. EPA	W.D. Mich.	WLO	mediation teleconference	EPA objection to state-issued permit
3/7/2017	American Chemistry Counsel, et al. v. EPA	D.C. Cir.	ARLO	90-Day Status Report	petition for review of EPA's final rule entitled "National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins; Pesticide Active Ingredient Production; and Polyether Polyols Production" 79 Fed. Reg. 17,340 (March 27, 2014)
3/7/2017	National Parks Conservation Association, et al. v. EPA	4th Cir.	ARLO	Status Report	"Arising After" petition for review in the 4th Circuit of EPA's final actions approving Virginia's and West Virginia's Regional Haze SIPs at 77 Fed. Reg. 35,287 (June 13, 2012) and at 77 Fed. Reg. 16,937 (March 23, 2012)
3/8/2017	Murray Energy Corporation v. EPA	DC Cir.	ARLO	Filing re organization of oral argument	Petition for review of EPA's final action titled "National Ambient Air Quality Standards for Ozone" at 80 Fed. Reg. 65292 (October 26, 2015)
3/8/2017	Natural Resources Defense Council, et al. v. EPA	D.C. Cir.	ARLO	Status Report	MACT for mercury cell chlor-alkali plants
3/8/2017	Truck Trailer Manufacturers Association v. EPA	DC Cir.	ARLO	Dispositive Motions and Certified Index	Petition for review of EPA's final rule "Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2" 81 FR 73478 (Oct. 25, 2016)
3/8/2017	Public Employees for Env. Respon. v. EPA	D.D.C.	GLO	Joint Status Report	Failure to Respond FOIA Litigation regarding 2016 Draft Protective Action Guide for Drinking Water
3/8/2017	Valero Energy Corporation v. EPA	N.D. TX	ARLO	Joint Scheduling Report	for failure to perform non-discretionary duties which relate to defining the obligated party for the RFS program
3/9/2017	Sierra Club v. EPA	N.D. CA	ARLO	Hearing	for alleged failure regarding 2008 O3 NAAQS to (1) take action on transport iSIPs for LA, MT, NJ, NY, SD, WI, WY; (2) promulgate FIP for California (non-transport I-SIP elements); and (3) promulgate transport FIP for Kentucky
3/9/2017	Luminant Generation Company, LLC, et al. v. EPA	10th Cir.	ARLO	Status report	Petition for review of EPA's final action titled "Approval and Promulgation of Implementation Plans; Texas and Oklahoma; Regional Haze State Implementation Plans; Interstate Visibility Transport State Implementation Plan to Address Pollution Affecting Visibility and Regional Haze; Federal Implementation Plan for Regional Haze; Final Rule," 81 Fed. Reg. 296 (Jan. 5, 2016)
3/9/2017	State of Utah, et al. v. EPA	10th Cir.	ARLO	Filing	petition for review of EPA's final rule entitled "Approval, Disapproval and Promulgation of Air Quality Implementation Plans; Partial Approval and Partial Disapproval of Air Quality Implementation Plans and Federal Implementation Plan; Utah; Revisions to Regional Haze State Implementation Plan; Federal Implementation Plan for Regional Haze" at 81 Fed. Reg. 43,894-01 (July 5, 2016)
3/10/2017	Utility Air Regulatory Group v. EPA	D.C. Cir.	ARLO	Deferred Appendix	petition for review of EPA's final action entitled "Regional Haze: Revisions to Provisions Governing Alternatives to Source-Specific Best Available Retrofit Technology (BART) Determinations, Limited SIP Disapprovals; and Federal Implementation Plans," at 77 Fed. Reg. 33642 (June 7, 2012)
3/10/2017	Murray Energy Corporation v. EPA	D.C. Cir.	ARLO	Deferred appendix due	petition for review of EPA's final action entitled "Supplemental Finding that it is Appropriate and Necessary to Regulate Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units at 81 Fed. Reg. 24,420 (April 25, 2016)

3/10/2017	Community In-Power and Development Association, et al. v. EPA	D.D.C.	ARLO	Plaintiffs' Motion for Summary Judgment	failure to issue standards or final residual risk determinations under CAA section 112 for various major sources of hazardous air pollutants categories. Also for failure to review and revise as necessary emission standards promulgated every 8 years
3/13/2017	Southern Illinois Power Cooperative v. EPA	7th Cir.	ARLO	EPA Brief and Appendix for Motion to Dismiss or Transfer	Petition for review of the Air Quality Designations for the 2010 Sulfur Dioxide (SO2) Primary National Ambient Air Quality Standard-Round 2 at 81 Fed. Reg. 45039 (July 12, 2016)
3/13/2017	Conservation Law Foundation, et al. v. EPA	D.C. Cir.	ARLO	status report	Petition for Review of emergency engine provisionsallowing 50 hours of operation for local reliability in the Final Rule, National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines; New Source Performance Standards for Stationary Internal Combustion Engines, 78 Fed. Reg. 6674 (Jan. 30, 2013)
3/13/2017	American Petroleum Institute (API) v. EPA Gina McCarthy	D.C. Cir.	ARLO	Status Report	Petition for Review of "Greenhouse Gas Reporting rule: 2014 Revisions and Confidentiality Determinations fro Petroleum and Natural Gas Systems," 79 Fed. Reg. 70352 (Nov. 25, 2014)
3/13/2017	State of North Dakota v. EPA	D.C. Cir.	ARLO	Certified Index to the Record and Dispositive Motions	CPP RECONSIDERATION LITIGATION - Petition for review of EPA's final action denying petitions for reconsideration of Clean Power Plan, entitled, "Denial of Reconsideration and Administrative Stay of the Emission Guidelines for Greenhouse Gas Emissions and Compliance Times for Electric Utility Generating" at 82 Fed. Reg. 4864
3/13/2017	Environmental Integrity Project v. EPA	D.D.C.	SWERLO	Dispositive Motions due in D.C. Circuit for intervention appeal	Failure to review 40 CFR 257 and 256 to address oil and gas wastes
3/13/2017	Ron Foster, et al. v.	S.D. W. Va.	WLO	Reply briefs due	EPA issued ACO against Ps for discharging dredged and fill materials into tributaries of Neal Run without a 404 permit. Ps allege that the waters are not jurisdictional and that EPA denied their constitutional right to an administrative appeal.
3/13/2017	Leon Mark Kizer v. EPA	D. NV	WLO	Stipulated Discovery Plan & Scheduling Order	Administrative Order UIC-09-2016-0001
3/13/2017	American Petroleum Institute v. EPA	D.C. Cir.	ARLO	Entry of Appearance Form and Procedural Motions	Petition for review of EPA's final rule entitled "Renewable Fuel Standard Program: Standards for 2017 and Biomass-Based Diesel Volume for 2018," 81 Fed. Reg. 89,746 (Dec. 12, 2016)
3/14/2017	American Fuel & Petrochemical Manufacturers, et al. v. EPA	DC Cir.	ARLO	Status Report	Petition to review a final action of EPA's entitled "Petroleum Refinery Sector Risk and Technology Review and New Source Performance Standards," published at 80 Fed. Reg. 75178, et. seq. (Dec. 1, 2015)
3/14/2017	United Affiliates Corp., et al. v. United States	Ct. Fed. Cl.	CCILO	Answer due	alleged 5th Amendment taking arising from QVA 404(c) veto
3/15/2017	Coffeyville Resources Refining & Marketing, LLC, et al. v. EPA	D.C. Cir.	ARLO	Entry of Appearance Form and Procedural Motions	Petition for review of EPA's final rule entitled "Renewable Fuel Standard Program: Standards for 2017 and Biomass-Based Diesel Volume for 2018," 81 Fed. Reg. 89,746 (Dec. 12, 2016)
3/16/2017	Sierra Club, et al. v. EPA	9th Cir.	ARLO	Oral Argument	states' challenge to Dist. Ct.'s entry of CD compelling SO2 NAAQS designations, on appeal from No. 13-cv-03953-SI (N.D. Cal.)
3/17/2017	Utility Air Regulatory Group v. EPA	D.C. Cir.	ARLO	Final Briefs	petition for review of EPA's final action entitled "Regional Haze: Revisions to Provisions Governing Alternatives to Source-Specific Best Available Retrofit Technology (BART) Determinations, Limited SIP Disapprovals; and Federal Implementation Plans," at 77 Fed. Reg. 33642 (June 7, 2012)
3/17/2017	ArcelorMittal USA, LLC v. EPA	8th Cir.	ARLO	EPA's Brief	Petition for review of EPA's final action titled "Air Plan Approval; Minnesota and Michigan; Revision to 2013 Taconite Federal Implementation Plan Establishing BART for Taconite Plants," 81 Red. Reg. 21,672 (Apr. 12, 2016)
3/17/2017	United States Steel Corporation v. EPA	8th Cir.	ARLO	EPA's Brief	Petition for review of EPA's final action titled "Air Plan Approval; Minnesota and Michigan; Revision to 2013 Taconite Federal Implementation Plan Establishing BART for Taconite Plants," 81 Red. Reg. 21,672 (Apr. 12, 2016)
3/17/2017	Hall and Associates v. EPA	D.C. Cir.	GLO	Replies to responses to dispositive motions	Adequacy of search
3/17/2017	Kinder Morgan CO2 Co., LP v. EPA	D.C. Cir.	ARLO	status report	petition for review of EPA's final action entitled "Mandatory Reporting of Greenhouse Gases" 74FR56260 (October 30, 2009)

3/17/2017	Mexichem Fluor, Inc. v. EPA	D.C. Cir.	ARLO	Certified Index to the Record and Dispositive Motions	challenge by a foreign chemical supplier to the 2016 Section 612 Significant New Alternatives Policy ("SNAP") Rule which, among other things, changed the listing of certain high global warming potential substitutes for ozone-depleting substances from acceptable to unacceptable
3/18/2017	American Petroleum Institute, et al. v. EPA	D.C. Cir.	ARLO	Motion to Govern Further Proceedings	petition for review of EPA's final rule entitled "Standards of Performance for Petroleum Refineries; Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007" 77 Fed. Reg. 56,422 (September 12, 2012)
3/20/2017	State of Texas, et al. v. EPA	5th Cir.	ARLO	EPA's Brief	petition for review of EPA's final action titled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Interstate Transport of Air Pollution for the 2008 Ozone National Ambient Air Quality Standards" at 81 Fed. Reg. 53,284 (August 12, 2016)
3/20/2017	Kaiser Aluminum Corporation v. EPA	D.C. Cir.	ARLO	Joint Status Report Due	petition for review of EPA's "National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production," at 80 Fed. Reg. 56, 700 (September 18, 2015)
3/20/2017	State of Texas, et al. v. EPA	D.C. Cir.	ARLO	Status report	Petition for review of EPA's final action titled "Approval and Promulgation of Implementation Plans; Texas and Oklahoma; Regional Haze State Implementation Plans; Interstate Visibility Transport State Implementation Plan to Address Pollution Affecting Visibility and Regional Haze; Federal Implementation Plan for Regional Haze; Final Rule," 81 Fed. Reg. 296 (Jan. 5, 2016)
3/20/2017	Pebble Limited Partnership v. EPA	D. Alaska	CCILO; WLO	Parties must meet and confer and formulate and file with the court an agreed upon (to the extent possible) schedule for the resolution of this case no later than March 20 2017	Bristol Bay FACA Litigation - PLP alleges that EPA violated the Federal Advisory Committee Act primarily during the development of the Bristol Bay Watershed Assessment. The alleged advisory committees involve meetings with third parties; an EPA-led meeting in 2011 with tribal, state, and federal representatives; and EPA's use of contractors during the development of the Assessment.
3/20/2017	Pebble Limited Partnership v. EPA	D. Alaska	GLO	Scheduling Proposa	FOIA litigation regarding EPA Region 10's response to equest for communications between EPA and certain third parties regarding the Pebble Mine project in Bristol Bay, Alaska.
3/20/2017	American Chemistry Council v. EPA	D.C. Cir.	ARLO	Joint Status Report Due	Petition for review of EPA's final rule entitled "National Emission Standards for Hazardous Air Pollutants: Off-Site Waste and Recovery Operations" (80 Fed. Reg. 14248; March 18, 2015)
3/20/2017	State of Wisconsin, et al. v. EPA	D.C. Cir.	ARLO	Proposed Briefing Schedule and Format Due	petition for review of EPA's Final Rule titled "Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS" 81 Fed. Reg. 74,504 (October 26, 2016)
3/21/2017	Cliffs Natural Resources, Inc. v. EPA	8th Cir.	ARLO	Administrative Record due in Cliffs Natural Resources	Petition for review of EPA's final action titled "Air Plan Approval; Minnesota and Michigan; Revision to 2013 Taconite Federal Implementation Plan Establishing BART for Taconite Plants," 81 Fed. Reg. 21,672 (Apr. 12, 2016)
3/21/2017	Biogenic CO2 Coalition v. EPA	D.C. Cir.	ARLO	Filing	Petition for review of EPA's final rule entitled "Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units" at 80 Fed. Reg. 64,510 (October 23, 2015)
3/21/2017	Sinclair Casper Refining Company Sinclair Wyoming Refining Company v. EPA	10th Cir.	ARLO	Oral Argument	petition for review challenging EPA's denials of two small refineries' requests for exemptions from their 2014 RFS obligations, issued May 2, 2016 and May 25, 2016
3/22/2017	Murray Energy Corporation v. EPA	6th Cir.	WLO	Joint Appendix	Promulgation of Clean Water Rule
3/23/2017	Kelsey Cascadia Rose Juliana et al., et al. v.	D. Ore.	ARLO	Requests for Admission due	Alleging multi-agency constitutional and public trust violations arising from actions and inactions on climate change
3/24/2017	Murray Energy Corporation v. EPA	D.C. Cir.	ARLO	Final briefs due	petition for review of EPA's final action entitled "Supplemental Finding that it is Appropriate and Necessary to Regulate Hazardous Air Pollutants from Coal- and Oil-Fired Electric Utility Steam Generating Units at 81 Fed. Reg. 24,420 (April 25, 2016)

3/24/2017	Wilkie et al. v.	D. Minn.	CRFLO	Hearing	Plaintiffs have brought this suit alleging that EPA is liable under RCRA, the Minnesota Environmental Response and Liability Act (MERLA), and the FTCA.
3/24/2017	George Wilkie, et al. v.	D. Minn.	SWERLO	Hearing on all defendants' motions to dismiss	RCRA ISE citizen suit re contamination of property in Minneapolis, MN
3/27/2017	Spokane Riverkeeper v. EPA	W.D. Wash.	WLO	Answer	EPA approval of Washington state TMDL for Hangman Creek.
3/27/2017	Valero Energy Corporation v. EPA	N.D. TX	ARLO	EPA Answer/Motion to Dismiss	for failure to perform non-discretionary duties which relate to defining the obligated party for the RFS program
3/27/2017	American Petroleum Institute v. EPA	D.C. Cir.	ARLO	Certified Index to the Record and Dispositive Motions	Petition for review of EPA's final rule entitled "Renewable Fuel Standard Program: Standards for 2017 and Biomass-Based Diesel Volume for 2018," 81 Fed. Reg. 89,746 (Dec. 12, 2016)
3/30/2017	Biogenic CO2 Coalition v. EPA	DC Cir.	ARLO	Motion to Govern Further Proceedings	challenge to endangerment finding for GHG from aircraft
3/30/2017	Coffeyville Resources Refining & Marketing, LLC, et al. v. EPA	D.C. Cir.	ARLO	Certified Index to the Record and Dispositive Motions	Petition for review of EPA's final rule entitled "Renewable Fuel Standard Program: Standards for 2017 and Biomass-Based Diesel Volume for 2018," 81 Fed. Reg. 89,746 (Dec. 12, 2016)
3/31/2017	Murray Energy Corporation, et al. v. EPA	4th Cir.	ARLO	Response brief - Murray Energy Corporation	Appeal of Murray Energy Corp. et al. v. McCarthy, No. 5:14cv39 (N.D. W. Va. 2016) (complaint alleging that EPA has failed to perform a non-discretionary duty under Section 321(a) of the CAA)
4/4/2017	Southwestern Electric Power Company, et al. v. EPA	5th Cir.	WLO	EPA's Opposition brief on the merits is due.	Petition for review of EPA's final Steam Electric Effluent Limitations Guidelines and Standards Rule published November 3, 2015.
4/4/2017	Treated Wood Council v. EPA	DC Cir.	SWERLO	Quarterly status report	EPA issuance of Non-Hazardous Secondary Materials (NHSM) rule under RCRA. This case was severed from another lawsuit while EPA conducts a rulemaking regarding whether to make a categorical non-waste determination for "other treated railroad ties." Case currently held in abeyance pending finalization of that rule.
4/7/2017	Community In-Power and Development Association, et al. v. EPA	D DC	ARLO	Defendant's Consolidated Opposition and Cross-Motion for Summary Judgment Community In-Power and Development Association	failure to issue standards or final residual risk determinations under CAA section 112 for various major sources of hazardous air pollutants categories. Also for failure to review and revise as necessary emission standards promulgated every 8 years
4/7/2017	Northwest Environmental Advocates v. EPA	W.D. WA	WLO	Filing	Claims of unreasonable delay in taking final action on Washington CZARA and in withholding grant funds, APA challenges to EPA oversight of CWA nonpoint source grant funding for Washington
4/7/2017	Sierra Club v. EPA	D.C. Cir.	ARLO	Status report due in Sierra Club v. EPA	petition for review of EPA's final actions to promulgate an affirmative defense against civil penalties in cases of malfunction in several Federal Register notices - based on after-arising grounds in Natural Resources Defense Council v. EPA, No. 10-1371, 2014 WL 1499825 (D.C. Cir. Apr. 18, 2014), which for the first time held that Respondents lack authority to promulgate an affirmative defense against civil penalties
4/7/2017	Robert Ukeiley v. EPA	10th Cir.	ARLO	Response Brief	petition for review of EPA's final action entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Second Ten-Year PM10 Maintenance Plan for Lamar" at 81 Fed. Reg. 63104 (September 14, 2016)
4/10/2017	Luminant Generation Company, LLC, et al. v. EPA	10th Cir.	ARLO	Status report	Petition for review of EPA's final action titled "Approval and Promulgation of Implementation Plans; Texas and Oklahoma; Regional Haze State Implementation Plans; Interstate Visibility Transport State Implementation Plan to Address Pollution Affecting Visibility and Regional Haze; Federal Implementation Plan for Regional Haze; Final Rule," 81 Fed. Reg. 296 (Jan. 5, 2016)
4/11/2017	Natural Resources Defense Council v.	S.D.N.Y.	WLO	Motion to Dismiss	Withdrawal of final rule establishing Effluent Limitations and Standards for the Dental Category that was filed with the Office of Federal Register but withdrawn without notice and comment prior to FR publication as per Preibus memo of 1/20/17.
4/12/2017	Sierra Club v. EPA	D.D.C.	ARLO	Status Report	failure to perform a nondiscretionary duty to grant or deny petition seeking an objection to Proposed Title V Permit for the operation of PacifiCorp's Hunter Power Plant located in Castle Dale, Utah

4/14/2017	Murray Energy Corporation, et al. v. EPA	4th Cir.	ARLO	Reply brief - Murray Energy Corporation	Appeal of Murray Energy Corp. et al. v. McCarthy, No. 5:14cv39 (N.D. W. Va. 2016) (complaint alleging that EPA has failed to perform a non-discretionary duty under Section 321(a) of the CAA)
4/17/2017	State of North Dakota v. EPA	D.C. Cir.	ARLO	Oral Argument	EGU GHG 111(b) CHALLENGE - LEAD CASE - Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units." At 80 Fed. Reg. 64510 (October 23, 2015)
4/17/2017	National Parks Conservation Association, et al. v. EPA	2d Cir.	ARLO	Status report due	Petition for review of EPA's final action titled, "Approval and Promulgation of Air Quality Implementation Plans; State of New York; Regional Haze State Implementation Plan and Federal Implementation Plan," 77 Fed. Reg. 51,915 (August 28, 2012)
4/17/2017	Californians for Renewable Energy (CARE), et al. v. EPA	N.D. Cal.	CRFLO	Filing	Civil action brought by Earthjustice under the Administrative Procedures Act challenging EPA's unreasonable delay in enforcing Title VI of the Civil Rights Act and EPA's implementing regulations (40 CFR §§ 7.10 et seq.) Lawsuit includes claims based on five administrative complaints and one pattern and practice claim.
4/18/2017	Mossville Environmental Action Now, et al. v. EPA	D.C. Cir.	ARLO	Status Report	Petition for review of EPA's final action entitled "National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production," 77 Fed. Reg. 22,848 (April 17, 2012)
4/18/2017	American Petroleum Institute v. EPA	D.C. Cir.	ARLO	Motion to Govern Further Proceedings	Challenge to Federal Implication Plan that allows existing minor oil and natural gas sources in Indian country to satisfy construction permitting requirements by complying with application emissions standards.
4/19/2017	Murray Energy Corporation v. EPA	D.C. Cir.	ARLO	Oral argument	Petition for review of EPA's final action titled "National Ambient Air Quality Standards for Ozone" at 80 Fed. Reg. 65292 (October 26, 2015)
4/19/2017	American Chemistry Council v. EPA	D.C. Cir.	ARLO	Joint Status Report Due	Petition for review of EPA's final rule entitled "National Emission Standards for Hazardous Air Pollutants: Off-Site Waste and Recovery Operations" (80 Fed. Reg. 14248; March 18, 2015)
4/21/2017	Sierra Club, et al. v. EPA	D.C. Cir.	ARLO	Deferred Appendix	BRICK MACT RULE CHALLENGE - Petition for review of EPA Final Rule entitled "NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing" (80 FR 65470 (Oct. 26, 2015)
4/24/2017	Ron Foster, et al. v.	S.D. W. Va.	WLO	Settlement meeting (court ordered)	EPA issued ACO against Ps for discharging dredged and fill materials into tributaries of Neal Run without a 404 permit. Ps allege that the waters are not jurisdictional and that EPA denied their constitutional right to an administrative appeal.
4/24/2017	Gas Processors Association v. EPA	D.C. Cir.	ARLO	Status Report	petition for review of EPA's final action entitled "Greenhouse Gas Reporting Rule: 2015 Revisions and Confidentiality Determinations for Petroleum and Natural Gas Systems," at 80 Fed. Reg. 64,262 (Oct. 22, 2015)
4/24/2017	Americans for Clean Energy, et al. v. EPA	D.C. Cir.	ARLO	Oral Argument	petition for review of EPA's final rule entitled "Renewable Fuel Standard Program: Standards for 2014, 2015, and 2016 and Biomass-Based Diesel Volume for 2017." See 80 Fed. Reg. 77,420 (Dec. 14, 2015)
4/25/2017	Atlantic Wood Industries, Inc. v. EPA	D.C. Cir.	SWERLO	Joint Status Report	Purported revision of Atlantic Wood NPL site in 2007 ROD for site.
4/26/2017	Sierra Club v. EPA	D.D.C.	ARLO	Status Report Due	Failure to promulgate a good neighbor FIP for Texas
4/26/2017	Sierra Club v. EPA	D.D.C.	ARLO	Answer due	concerning Clean Air Act deadlines related to Commercial and Industrial Solid Waste Incinerators and other categories of Solid Waste Incinerators
4/28/2017	Sierra Club, et al. v. EPA	D.C. Cir.	ARLO	Final briefs due	Petition for review of EPA Final Rule entitled "NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing" (80 FR 65470 (Oct. 26, 2015)